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| 10/593,828 | 09/22/2006 | Kazuyoshi Toriyama | 723-1984 | 4629 |

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| EXAMINER |
|---|
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# Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/593,828 | TORIYAMA, KAZUYOSHI |
| | Examiner | Art Unit | |
| | HENRY ORR | 2175 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *10 August 2010*.

2a)☐ This action is **FINAL**.     2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *8/10/2010*.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

### *Continued Examination Under 37 CFR 1.114*

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/10/2010 has been entered.

### DETAILED ACTION

1.      This action is responsive to applicant's amendment dated 8/10/2010.

2.      Claims 1-18 are pending in the case.

3.      Claims 1, 4 and 12-18 are independent claims.

### Applicant's Response

4.      In Applicant's response dated 8/10/2010, applicant has amended the following:

a) Claims 1, 4 and 12-18

Based on Applicant's amendments and remarks, the following objections and rejections previously set forth in Office Action dated 4/14/2010 are withdrawn:

a) Objection to Specification

### *Information Disclosure Statement*

5.      The information disclosure statement (IDS) submitted on 8/10/2010 is in

compliance with the provisions of 37 CFR 1.97.  Accordingly, the examiner is

considering the information disclosure statement.

### *Claim Objections*

6.      Claim 4 objected to because of the following informalities:  Claim 4 should be

amended to "that said detector <u>detects</u>" to read more clearly.  Appropriate correction is

required.

### *Claim Rejections - 35 USC § 112*

7.      The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

8.      **Claims 4 and 18 are rejected under 35 U.S.C. 112, second paragraph, as**

**being indefinite for failing to particularly point out and distinctly claim the subject**

**matter which applicant regards as the invention.**

Claim 4:

Claim 4 recites the phrase "the first predetermined input". There is insufficient

antecedent basis for this limitation in the claim because the phrase has not been

previously recited.

Claim 18:

Claim 18 recites the phrase "said selection area on said **first display area**".

There is insufficient antecedent basis for this limitation in the claim because it is unclear

whether the phrase is referring to "a **second display area** on which said plurality of

selection of selection area" as recited earlier in claim.(emphasis added)

*Claim Rejections - 35 USC § 103*

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

10. **Claims 1-8 and 10-18 are rejected under 35 U.S.C. 103(a) as being**

**unpatentable over Gelsinger et al. (hereinafter "Gelsinger"), U.S. Patent No.**

**5,892,511 in view of Oran et al. (hereinafter "Oran"), U.S. Patent No. 5,757,371.**

Claim 1:

Gelsinger teaches **an information processing apparatus, comprising: a**

**storage programmed logic circuitry for storing data** (see col. 11 lines 60-65;

memory and storage devices) **to display a plurality of windows** (see col. 5 lines 44-

52; overlapping windows) **and data to display a plurality of selection areas which respectively correspond to said plurality of windows,** (see col. 5 lines 16-20; selectable icons or names in a typical taskbar are interpreted to be the recited "selection areas") **a display for including a first display area on which only a predetermined window out of the plurality of windows is displayed or the plurality of windows are displayed in an overlapping manner** (see col. 5 lines 44-52; overlapping windows) **and a second display area on which said plurality of selection areas are displayed,** (see col. 5 lines 16-20; selectable icons or names in a typical taskbar (i.e., second display area) are interpreted to be the recited "selection areas")

Gelsinger fails to expressly teach detecting an input to display positions of said plurality of selection areas.

However, Oran teaches an auto hide function for a taskbar having selectable icons or names (i.e., selection areas) that a user may cause to disappear and reappear (see col. 9 lines 10-28). **(claim 1; i.e., a detector for detecting an input to display positions of said plurality of selection areas)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the taskbar bar as taught by Gelsinger to include an auto hide function as taught by Oran to provide the benefit of exploiting more of the available screen space (see Oran; col. 9 lines 15-17).

Gelsinger teaches **a first display controller for displaying, when it is
determined that a first predetermined input is performed within a selection area
corresponding to a window displayed on said first display area or a window
displayed on a forefront by said detector, the window corresponding to the
selection area on said second display area** (see col. 5 lines 16-20, col. 7 lines 1-7;
selecting (i.e., first input) the icon (i.e., selection area) in a typical taskbar (i.e., display
area underlying taskbar) to display a overlapped window in the forefront as the active
window).

Claim 2:

Gelsinger teaches **a second display controller for displaying, when it is
determined that a first predetermined input is performed within a selection area
corresponding to a window which is not displayed on said first display area and
said second display area or a window a part of which is hidden under the window
displayed on the forefront on said first display area by said detector, the window
corresponding to the selection area on said first display area or on the forefront
on said first display area** (see col. 5 lines 16-20, col. 7 lines 1-7; selecting (i.e., first
input) the icon (i.e., selection area) in a typical taskbar (i.e., display area underlying
taskbar) to display a overlapped window in the forefront as the active window on the
desktop (i.e., first display area).

Claim 3:

Gelsinger teaches **a third display controller for displaying, when it is**
**determined that a second predetermined input is performed within a selection**
**area corresponding to a window which is not displayed on said first display area**
**and said second display area or a window a part of which is hidden under the**
**window displayed on the forefront on said first display area by said detector, the**
**window corresponding to the selection area on said second display area** (see col.
5 lines 16-20, col. 7 lines 1-7; selecting (i.e., second input) the icon (i.e., selection area)
in a typical taskbar (i.e., display area underlying taskbar) to display a overlapped
window in the forefront as the active window on the desktop (i.e., first display area).

Claim 4:

Gelsinger teaches **a storage programmed logic** (see col. 11 lines 60-65;
memory and storage devices) **to display a plurality of windows** (see col. 5 lines 44-
52; overlapping windows) **and data to display a plurality of selection areas which**
**respectively correspond to said plurality of windows,** (see col. 5 lines 16-20;
selectable icons or names in a typical taskbar are interpreted to be the recited "selection
areas") **a display for including a first display area on which only a predetermined**
**window out of the plurality of windows is displayed or said plurality of windows**
**are displayed in an overlapping manner** (see col. 5 lines 44-52; overlapping
windows) **and a second display area on which said plurality of selection areas are**
**displayed** (see col. 5 lines 16-20; selectable icons or names in a typical taskbar (i.e.,
display area underlying taskbar) are interpreted to be the recited "selection areas")

Gelsinger fails to expressly teach detecting an input to display positions of said

plurality of selection areas.

However, Oran teaches an auto hide function for a taskbar having selectable

icons or names (i.e., selection areas) that a user may cause to disappear and reappear

(see col. 9 lines 10-28). **(claim 4; i.e., a detector for detecting an input to display**

**positions of said plurality of selection areas)**

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the taskbar bar as taught by Gelsinger to include an auto

hide function as taught by Oran to provide the benefit of exploiting more of the available

screen space (see Oran; col. 9 lines 15-17).

Gelsinger teaches **a third display controller for displaying, when it is**

**determined that a second predetermined input is performed at a display position**

**of a selection area corresponding to a window which is not displayed on said first**

**display area and said second display area or a window a part of which is hidden**

**under the window displayed on a forefront on said first display area by said**

**detector, the window corresponding to the selection area on said second display**

**area** (see col. 5 lines 16-20, col. 7 lines 1-7; selecting (i.e., second input) the icon (i.e.,

selection area) in a typical taskbar (i.e., display area underlying taskbar) to display a

overlapped window in the forefront as the active window on the desktop (i.e., first

display area).

Claim 5:

Gelsinger teaches **a first display controller for displaying, when it is determined that a first predetermined input is performed within a selection area corresponding to a window displayed on said first display area or the window displayed on the forefront by said detector, the window corresponding to the selection area on said second display area** (see col. 5 lines 16-20, col. 7 lines 1-7; selecting (i.e., first input) the icon (i.e., selection area) in a typical taskbar (i.e., display area underlying taskbar) to display a overlapped window in the forefront as the active window on the desktop (i.e., first display area).

Claim 6:

Gelsinger fails to expressly teach detecting an input to an arbitrary position of said second display area.

However, Oran teaches a remove able taskbar which may expose a second display area allowing a user to right click at any arbitrary position (see col. 9 lines 10-28). Oran further teaches windows to occupy the desktop space where the taskbar used to be (see Oran; col. 9 lines 15-17). **(claim 6; i.e., wherein said detector detects an input to an arbitrary position of said second display area,** (e.g., right clicking on a desktop where taskbar used to be) **and further comprising a setter for setting, when a window is displayed on said second display area by said first display controller or said third display controller, the window to an inputable state from said**

**detector** (e.g., removing taskbar and making a window active in the area where the

taskbar used to be))

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the taskbar bar as taught by Gelsinger to include an auto

hide function as taught by Oran to provide the benefit of exploiting more of the available

screen space (see Oran; col. 9 lines 15-17).

Claim 7:

Gelsinger teaches **a fourth display controller for displaying, when it is**

**determined that a predetermined input is performed within a selection area**

**corresponding to the window displayed on said second display area, the window**

**corresponding to the selection area of the forefront on said first display area** (see

col. 5 lines 16-20, col. 7 lines 1-7; selecting (i.e., input) the icon (i.e., selection area) in a

typical taskbar (i.e., display area underlying taskbar) to display a overlapped window in

the forefront as the active window on the desktop (i.e., first display area).

Claim 8:

Gelsinger fails to expressly teach window displayed on said second display area.

However, Oran teaches a remove able taskbar which may expose a second

display area which allows windows to occupy the desktop space (i.e., second display

area) where the taskbar used to be (see Oran; col. 9 lines 15-17). **(claim 8; i.e., a fifth**

**display controller for displaying, in a case that said window is displayed on said**

**second display area and when it is determined that other window is being**

**displayed on said second display area, the other window on the forefront on said**

**first display area** (see removing taskbar and making a window active in the area where

the taskbar used to be amongst other overlapped windows).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the taskbar bar as taught by Gelsinger to include an auto

hide function as taught by Oran to provide the benefit of exploiting more of the available

screen space (see Oran; col. 9 lines 15-17).

Claim 10:

Gelsinger teaches displaying a taskbar (i.e., a basic input window) **(claim 10;**

**i.e., wherein said storage programmed logic circuitry stores data to display a**

**basic input window to be displayed on said second display area, and further**

**comprising a basic display controller for displaying said basic input window on**

**said second display area when no window to be displayed on said second display**

**area is present).**

Claim 11:

Gelsinger fails to expressly teach window displayed on said second display area.

However, Oran teaches a remove able taskbar which may expose a second display area which allows windows to occupy the desktop space (i.e., second display area) where the taskbar used to be (see Oran; col. 9 lines 15-17). A user may generate new windows from existing windows.

**(claim 11; i.e., generating programmed logic circuitry for, when a predetermined coordinates input is performed to said window displayed on said second display area, generating data to display a new window and data to display a new selection area, and storing the generated data in said storage programmed logic circuitry by bringing the data to display a new window and the data to display a new selection area into correspondence with each other, and a selection area display controller for displaying said selection area generated by said generating programmed logic circuitry on said second display area)**


Claim 12:

Claim 12 is substantially encompassed in claim 1; therefore the claim 12 is rejected under the same rationale as claim 1 above.


Claim 13:

Claim 13 is substantially encompassed in claim 1; therefore the claim 13 is rejected under the same rationale as claim 1 above.


Claim 14:

Claim 14 is substantially encompassed in claim 1; therefore the claim 14 is rejected under the same rationale as claim 1 above.

Claim 15:

Claim 14 is substantially encompassed in claim 4; therefore the claim 14 is rejected under the same rationale as claim 4 above.

Claim 16:

Claim 16 is substantially encompassed in claim 4; therefore the claim 16 is rejected under the same rationale as claim 4 above.

Claim 17:

Claim 17 is substantially encompassed in claim 1; therefore the claim 17 is rejected under the same rationale as claim 1 above.

Claim 18:

Claim 18 is substantially encompassed in claim 1; therefore the claim 18 is rejected under the same rationale as claim 1 above.

**11.     Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gelsinger in view of Oran as cited above, in further view of Shields et al. (hereinafter "Shields"), U.S. Patent No. 5,910,802 A.**

Claim 9:

      Both Gelsinger and Oran fail to expressly teach a touch panel.


      However, Shields teaches a touch sensitive border and a viewing area (see abstract, Figure 4). **(claim 9; i.e., wherein said detector detects said first predetermined input on the basis of the input data from a touch panel which is not set on said first display area but set on said second display area )**

      It would have be obvious to one of ordinary skill in the art at the time the invention was made to modify the taskbar as taught by Gelsinger in view of Oran to accept input via touch sensitive border as taught by Shields to provide the benefit of providing another way of auto hiding the taskbar to take advantage of limited screen space (see Shields; col. 1 line 35).


## *Response to Arguments*

      Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.


## *Conclusion*

      Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY ORR whose telephone number is (571)270-1308.  The examiner can normally be reached on Monday thru Friday 8 to 4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William L. Bashore can be reached on (571) 272-4088. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


8/14/2010
HO

/Adam L Basehoar/
Primary Examiner, Art Unit 2178